

REMARKS

Claims 1-9 and 12 are pending in this application. By this Amendment, claim 1 is amended and claim 12 is added. Claims 10 and 11 are canceled without prejudice to or disclaimer of the subject matter recited therein. No new matter is added by these amendments. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

The courtesies extended to Applicant's representative by Examiner Rivell at the interview held April 17, 2008 are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicant's record of the interview.

The Office Action rejects claims 1-5 and 8-11 under 35 U.S.C. §102(b) over U.S. Patent No. 6,345,649 to Dischler. The rejection is respectfully traversed.

Claim 1 calls for a single valve with one or several openings in the membrane that are disposed around a central part of the membrane, wherein the central part of the membrane has a diameter that is greater than a diameter of the opening in the seat and a thickness of the central part is substantially the same, and wherein, in a first stable position, the surface of the central part of the membrane sits against the seat to close the opening in the seat.

As discussed with Examiner Rivell at the personal interview, Dischler's Fig. 7 discloses that the curved disk 144 contains a plug 162. Therefore, Dischler's central part of the curved disk 144 is not maintained at substantially the same thickness because the central part of the curved disk 144 substantially increases in thickness at the location of the plug 162.

With regard to Fig. 9, Dischler discloses a curved disk 244 with a resilient cushion 248, wherein sealing of the proximal port 250 is accomplished by pressure contact with the resilient cushion 250. The resilient cushion 250 is a separate structure from the curved disk

244. Therefore, the surface of the central part of the curved disk 244 does not sit against the seat to close the opening of the seat, as called for in claim 1.

Accordingly, Applicants respectfully request that the rejection be withdrawn.

The Office Action rejects claim 6 under 35 U.S.C. §103(a) over Dischler in view of U.S. Patent No. 5,855,221 to Rieckhoff, and rejects claim 7 under 35 U.S.C. §103(a) over Dischler in view of U.S. Patent No. 3,084,707 to Frye. The rejections are respectfully traversed.

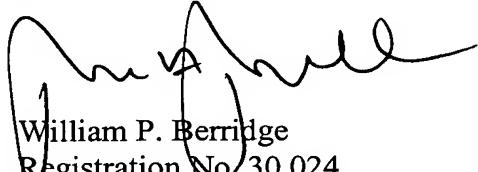
Neither of the remaining applied references overcome the deficiencies of Dischler.

Accordingly, Applicants respectfully request that the rejections be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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WPB:RHR/khm

Attachment:

Request for Continued Examination

Date: April 29, 2008

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